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CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 288

Introduced by Assembly Members Holden and Olsen
(Principal coauthors: Assembly Members Baker, *Chang*, Chávez,
McCarty, Santiago, *Thurmond*, and Ting)
(Coauthors: Assembly Members Alejo and Weber)
(Coauthors: Senators Hancock and Leyva)

February 11, 2015

An act to add and repeal Section 76004 to the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 288, as amended, Holden. Public schools: College and Career Access Pathways partnerships.

Existing law authorizes the governing board of a school district to allow pupils whom the district has determined would benefit from advanced scholastic or vocational work to attend community college as special part-time or full-time students, subject to parental permission. Existing law requires credit to be awarded to these pupils, as specified, authorizes a school principal to recommend a pupil for community college summer session if the pupil meets specified criteria, and

prohibits the principal from recommending more than 5% of the total number of pupils from any particular grade level who completed that grade immediately before the time of recommendation for summer session attendance.

This bill would authorize the governing board of a community college district to enter into a College and Career Access Pathways partnership with the governing board of a school district with the goal of developing seamless pathways from high school to community college for career technical education or preparation for transfer, improving high school graduation rates, or helping high school pupils achieve college and career readiness. The bill would require the partnership agreement to outline the terms of the partnership, as specified, and to establish protocols for information sharing, joint facilities use, and parental consent for high school pupils to enroll in community college courses.

The bill would authorize specified high school pupils to enroll in up to 15 units per term if those units are required for these pupils' partnership programs and specified conditions are satisfied, and would authorize a community college district to exempt special part-time and full-time students taking up to a maximum of 15 units per term from specified fee requirements. The bill would prohibit a district from receiving a state allowance or apportionment for an instructional activity for which the partnering district has been, or will be, paid an allowance or apportionment under a concurrent enrollment partnership agreement. The bill would require, for each partnership agreement entered into under the bill, the affected community college district and school district to provide an annual report, containing specified data, to the office of the Chancellor of the California Community Colleges. The bill would require the chancellor to prepare a summary report, no later than January 1, 2021, that includes an evaluation of the partnerships, as specified. The bill's provisions would be repealed on January 1, 2022.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
- 2 following:
- 3 (a) Research has shown that dual enrollment can be an effective
- 4 means of improving the educational outcomes for a broad range
- 5 of students.

1 (b) Dual enrollment has historically targeted high-achieving
2 students; however, increasingly, educators and policymakers are
3 looking toward dual enrollment as a strategy to help students who
4 struggle academically or who are at risk of dropping out.

5 (c) Allowing a greater and more varied segment of high school
6 pupils to take community college courses could provide numerous
7 benefits to both the pupils and the state, such as reducing the
8 number of high school dropouts, increasing the number of
9 community college students who transfer and complete a degree,
10 shortening the time to completion of educational goals, and
11 improving the level of preparation of students to successfully
12 complete for-credit, college-level courses.

13 (d) California should rethink its policies governing dual
14 enrollment, and establish a policy framework under which school
15 districts and community college districts could create dual
16 enrollment partnerships as one strategy to provide critical support
17 for underachieving students, those from groups underrepresented
18 in postsecondary education, those who are seeking advanced
19 studies while in high school, and those seeking a career technical
20 education credential or certificate.

21 (e) Through dual enrollment partnerships, school districts and
22 community college districts could create clear pathways of aligned,
23 sequenced coursework that would allow students to more easily
24 and successfully transition to for-credit, college-level coursework
25 leading to an associate degree, transfer to the University of
26 California or the California State University, or to a program
27 leading to a career technical education credential or certificate.

28 (f) To facilitate the establishment of dual enrollment
29 partnerships, the state should remove fiscal penalties and policy
30 barriers that discourage dual enrollment opportunities. By reducing
31 some of these restrictions, it will be possible to expand dual
32 enrollment opportunities, thereby saving both students and the
33 state valuable time, money, and scarce educational resources.

34 SEC. 2. Section 76004 is added to the Education Code, to read:

35 76004. Notwithstanding Section 76001 or any other law:

36 (a) The governing board of a community college district may
37 enter into a College and Career Access Pathways (CCAP)
38 partnership with the governing board of a school district for the
39 purpose of offering or expanding dual enrollment opportunities
40 for students who may not already be college bound or who are

1 underrepresented in higher education, with the goal of developing
2 seamless pathways from high school to community college for
3 career technical education or preparation for transfer, improving
4 high school graduation rates, or helping high school pupils achieve
5 college and career readiness.

6 (b) A participating community college district may enter into a
7 CCAP partnership with a school district partner that is governed
8 by a CCAP partnership agreement approved by the governing
9 boards of both districts. As a condition of, and before adopting, a
10 CCAP partnership agreement, the governing board of each district,
11 at an open public meeting of that board, shall present the dual
12 enrollment partnership agreement as an informational item. The
13 governing board of each district, at a subsequent open public
14 meeting of that board, shall take comments from the public and
15 approve or disapprove the proposed agreement.

16 (c) (1) The CCAP partnership agreement shall outline the terms
17 of the CCAP partnership and shall include, but not necessarily be
18 limited to, the total number of high school students to be served
19 and the total number of full-time equivalent students projected to
20 be claimed by the community college district for those students;
21 the scope, nature, time, location, and listing of community college
22 courses to be offered; and criteria to assess the ability of pupils to
23 benefit from those courses. The CCAP partnership agreement shall
24 also establish protocols for information sharing, in compliance
25 with all applicable state and federal privacy laws, joint facilities
26 use, and parental consent for high school pupils to enroll in
27 community college courses.

28 (2) The CCAP partnership agreement shall identify a point of
29 contact for the participating community college district and school
30 district partner.

31 (3) A copy of the CCAP partnership agreement shall be filed
32 with the office of the Chancellor of the California Community
33 Colleges and with the department before the start of the CCAP
34 partnership. The chancellor may void any CCAP partnership
35 agreement it determines has not complied with the intent of the
36 requirements of this section.

37 (d) A community college district participating in a CCAP
38 partnership shall not provide physical education course
39 opportunities to high school pupils pursuant to this section or any

1 other course opportunities that do not assist in the attainment of
2 at least one of the goals listed in subdivision (a).

3 (e) A community college district shall not enter into a CCAP
4 partnership with a school district within the service area of another
5 community college district, except where an agreement exists, or
6 is established, between those community college districts
7 authorizing that CCAP partnership.

8 (f) A high school pupil enrolled in a course offered through a
9 CCAP partnership shall not be assessed any fee that is prohibited
10 by Section 49011.

11 (g) A community college district participating in a CCAP
12 partnership may assign priority for enrollment and course
13 registration to a pupil seeking to enroll in a community college
14 course that is required for the pupil's CCAP partnership program
15 that is equivalent to the priority assigned to a pupil attending a
16 middle college high school as described in Section 11300 and
17 consistent with middle college high school provisions in Section
18 76001.

19 (h) The CCAP partnership agreement shall certify that any
20 community college instructor teaching a course on a high school
21 campus has not been convicted of any sex offense as defined in
22 Section 87010, or any controlled substance offense as defined in
23 Section 87011.

24 (i) The CCAP partnership agreement shall certify that any
25 community college instructor teaching a course at the partnering
26 high school campus has not displaced or resulted in the termination
27 of an existing high school teacher teaching the same course on that
28 high school campus.

29 (j) The CCAP partnership agreement shall certify that a qualified
30 high school teacher teaching a course offered for college credit at
31 a high school campus has not displaced or resulted in the
32 termination of an existing community college faculty member
33 teaching the same course at the partnering community college
34 campus.

35 (k) The CCAP partnership agreement shall include a certification
36 by the participating community college district of all of the
37 following:

38 (1) A community college course offered for college credit at
39 the partnering high school campus does not reduce access to the
40 same course offered at the partnering community college campus.

1 (2) A community college course that is oversubscribed or has
2 a waiting list shall not be offered in the CCAP partnership.

3 (3) Participation in a CCAP partnership is consistent with the
4 core mission of the community colleges pursuant to Section
5 66010.4, and that pupils participating in a CCAP partnership will
6 not lead to enrollment displacement of otherwise eligible adults
7 in the community college.

8 (l) The CCAP partnership agreement shall certify that both the
9 school district and community college district partners comply
10 with local collective bargaining agreements and all state and federal
11 reporting requirements regarding the qualifications of the teacher
12 or faculty member teaching a CCAP partnership course offered
13 for high school credit.

14 (m) The CCAP partnership agreement shall specify both of the
15 following:

16 (1) Which participating district will be the employer of record
17 for purposes of assignment monitoring and reporting to the county
18 office of education.

19 (2) Which participating district will assume reporting
20 responsibilities pursuant to applicable federal teacher quality
21 mandates.

22 (n) The CCAP partnership agreement shall certify that any
23 remedial course taught by community college faculty at a
24 partnering high school campus shall be offered only to high school
25 students who ~~test as nonproficient~~ *do not meet their grade level*
26 *standard* in math, English, or both on ~~a formative~~ *an interim*
27 assessment in grade 10 or 11, as determined by the partnering
28 school district, and shall involve a collaborative effort between
29 high school and community college faculty to deliver an innovative
30 remediation course as an intervention in the student's junior or
31 senior year to ensure the student is prepared for college-level work
32 upon graduation.

33 (o) (1) A community college district may limit enrollment in
34 a community college course solely to eligible high school students
35 if the course is offered at a high school campus during the regular
36 school day and the community college course is offered pursuant
37 to a CCAP partnership agreement.

38 (2) For purposes of allowances and apportionments from Section
39 B of the State School Fund, a community college district
40 conducting a closed course on a high school campus pursuant to

1 paragraph (1) of subdivision (p) shall be credited with those units
2 of full-time equivalent students attributable to the attendance of
3 eligible high school pupils.

4 (p) A community college district may allow a special part-time
5 student participating in a CCAP partnership agreement established
6 pursuant to this article to enroll in up to a maximum of 15 units
7 per term if all of the following circumstances are satisfied:

8 (1) The units constitute no more than four community college
9 courses per term.

10 (2) The units are part of an academic program that is part of a
11 CCAP partnership agreement established pursuant to this article.

12 (3) The units are part of an academic program that is designed
13 to award students both a high school diploma and an associate
14 ~~degree~~; *degree or a certificate or credential*.

15 (q) The governing board of a community college district
16 participating in a CCAP partnership agreement established pursuant
17 to this article shall exempt special part-time students described in
18 subdivision (p) from the fee requirements in Sections 76060.5,
19 76140, 76223, 76300, 76350, and 79121.

20 (r) A district shall not receive a state allowance or apportionment
21 for an instructional activity for which the partnering district has
22 been, or shall be, paid an allowance or apportionment.

23 (s) The attendance of a high school pupil at a community college
24 as a special part-time or full-time student pursuant to this section
25 is authorized attendance for which the community college shall
26 be credited or reimbursed pursuant to Section 48802 or 76002,
27 provided that no school district has received reimbursement for
28 the same instructional activity.

29 (t) (1) For each CCAP partnership agreement entered into
30 pursuant to this section, the affected community college district
31 and school district shall report annually to the office of the
32 Chancellor of the California Community Colleges all of the
33 following information:

34 (A) The total number of high school pupils by schoolsite
35 enrolled in each CCAP partnership, aggregated by gender and
36 ethnicity, and reported in compliance with all applicable state and
37 federal privacy laws.

38 (B) The total number of community college courses by course
39 category and type and by schoolsite enrolled in by CCAP
40 partnership participants.

1 (C) The total number and percentage of successful course
2 completions, by course category and type and by schoolsite, of
3 CCAP partnership participants.

4 (D) The total number of full-time equivalent students generated
5 by CCAP partnership community college district participants.

6 (2) On or before January 1, 2021, the chancellor shall prepare
7 a summary report that includes an evaluation of the CCAP
8 partnerships, an assessment of trends in the growth of special
9 admits systemwide and by campus, and, based upon the data
10 collected pursuant to this section, recommendations for program
11 improvements, including, but not necessarily limited to, both of
12 the following:

13 (A) Any recommended changes to the statewide cap on special
14 admit full-time equivalent students to ensure that adults are not
15 being displaced.

16 (B) Any recommendation concerning the need for additional
17 student assistance or academic resources to ensure the overall
18 success of the CCAP partnerships.

19 (3) The chancellor shall ensure that the number of full-time
20 equivalent students generated by CCAP partnerships is reported
21 pursuant to the reporting requirements in Section 76002.

22 (u) The annual report required by subdivision (t) shall also be
23 transmitted to all of the following:

24 (1) The Legislature, in compliance with Section 9795 of the
25 Government Code.

26 (2) The Director of Finance.

27 (3) The Superintendent.

28 (v) A community college district that violates this article,
29 including, but not necessarily limited to, any restriction imposed
30 by the board of governors pursuant to this article, shall be subject
31 to the same penalty as may be imposed pursuant to subdivision
32 (d) of Section 78032.

33 (w) The statewide number of full-time equivalent students
34 claimed as special admits shall not exceed 10 percent of the total
35 number of full-time equivalent students claimed statewide.

36 (x) Nothing in this section is intended to affect a dual enrollment
37 partnership agreement existing on the effective date of this section
38 under which an early college high school, a middle college high
39 school, or California Career Pathways Trust existing on the
40 effective date of this section is operated. An early college high

1 school, middle college high school, or California Career Pathways
2 Trust partnership agreement existing on the effective date of this
3 section shall not operate as a CCAP partnership unless it complies
4 with the provisions of this section.

5 (y) This section shall remain in effect only until January 1, 2022,
6 and as of that date is repealed, unless a later enacted statute, that
7 is enacted before January 1, 2022, deletes or extends that date.

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